



Case No.: MBHB00-450-A

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### SECRETED EPITHELIAL COLON STROMAL-1 MOLECULES AND USES THEREOF

the specification of which is attached hereto unless the following space is checked:

☒ was filed on November 28, 2000 as United States Application Serial Number 09/724,000.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

	<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>
1.			
2.			

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

	<u>Application Number</u>	<u>Filing Date</u>
1.		
2.		

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

	<u>Application Number</u>	<u>Filing Date</u>	<u>Status: patented, pending, abandoned</u>
1.	09/599,087	06/21/00	Pending
2.			

I hereby appoint the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and I direct that all correspondence be addressed to that Customer Number.

Customer Number: 020306

Principal attorney or agent: Kevin E. Noonan

Telephone number: 312-913-0001

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Anthony J. Polverino

Inventor's signature: 

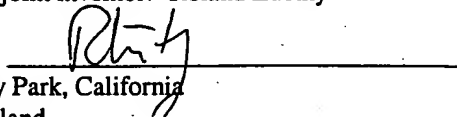
Date: 1-10-02

Residence: Thousand Oaks, California

Citizenship: Australia

Post Office Address: 2850 Marietta Circle, Thousand Oaks, California 91360

Full name of second joint inventor: Roland Luethy

Inventor's signature: 

Date: 1-10-02

Residence: Newbury Park, California

Citizenship: Switzerland

Post Office Address: 3979 San Marcos Court, Newbury Park, California 91320

**ATCC**

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MAY - 9 2000

**BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF  
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE  
INTERNATIONAL FORM****RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2****To: (Name and Address of Depositor or Attorney)**

Amgen Inc.  
Attn: Dawn Pohl  
One Amgen Center Drive, M/S 9-1-C  
Thousand Oaks, CA 91320-1799

**Deposited on Behalf of:** Amgen Inc.**Identification Reference by Depositor:**

Murine secreted colon stromal-1 cDNA: mSecs-1 (Ref. A-681-P)  
Plasmid DNA encoding a Novel Hypothalamic Secreted Protein:  
human NHSP cDNA (Ref. Docket A-661-P)  
Human secreted colon stromal-1 cDNA: hSecs-1 (Ref. Docket A-681-P)  
agp1-14197- the cDNA of a human FGF-10 related molecule cloned in plasmid  
vector pBSK-: JE2  
Zhvt-001303, the cDNA of a human VEGF related molecule cloned in plasmid  
vector pGEM-T: JH2 (Ref. A-677-P)  
Zhvt-001474; cDNA of a human OPG related molecule cloned in plasmid  
vector pSport-1: JH1 (Ref. A-638-P)  
(Ref: Docket or Case No.: A-638-P)  
cDNA (human) isolated from human lung cDNA library: hAMGN-2520-59  
(Ref: Docket or Case No.: A-687-P).

**Patent Deposit Designation**

PTA-1753

PTA-1754

PTA-1755

PTA-1756

PTA-1757

PTA-1758

PTA-1759

The deposits were accompanied by: \_\_\_ a scientific description, a proposed taxonomic description indicated above.  
The deposits were received April 25, 2000 by this International Depository Authority and have been accepted.

**AT YOUR REQUEST:** ☒ We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty. The viability of the cultures cited above was tested May 4, 2000. On that date, the cultures were viable.

**International Depository Authority:** American Type Culture Collection, Manassas, VA 20110-2209 USA.

**Signature of person having authority to represent ATCC:**

Barbara E. Coupé, Administrator, Patent Depository

**Date:** May 8, 2000**cc:** Scott Bernstein